

Mar 17, 2003

Mr. Daryl Hancock
Environmental Scientist/Co-Manager
RMEC Rocky Mountain Environmental Consultants, L.L.C.
2982 East Louise Avenue
Salt Lake City, Utah 84109

Reference No. 02-0308

Dear Mr. Hancock:

This responds to your November 21, 2002 letter requesting clarification on the use of the exception in § 173.307(a)(4)(v) and the apparent omission of this section in Column 8A of the Hazardous Materials Table (HMT) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for confirmation that the use of the exception in § 173.307(a)(4)(v) is authorized for use in shipments of "Refrigerating machines, containing flammable, non-toxic, liquefied gas, UN 3358" even though this section reference does not appear in Column 8A of the HMT for this shipping description.

You are correct in your understanding that the use of the exception in § 173.307(a)(4)(v) is authorized for shipments of new (unused) refrigerating machines, and/or components thereof, containing 100 grams or less of a flammable, non-toxic liquefied gas, even though that section reference does not appear in Column 8A of the HMT for this shipping description.

I hope this answers your inquiry.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

173.307